

failed to do so. Plaintiff has filed no objections to the Report and Recommendation and the time for doing so has expired.

After reviewing the Complaint, and the Report and Recommendation of the Magistrate Judge, the court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

IT IS HEREBY ORDERED that this action is **DISMISSED** *without prejudice and without service of process*.

IT IS SO ORDERED.

s/ Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
April 21, 2006

C:\temp\notes\FFF692\06-384 Muhammad v. Hightower, et al. - dis wo prej and svc - dmb - fails to state a claim.wpd